REMARKS

In the Office action, claims 1-15 are pending in the application and claims 2-4, 13, and 14 are withdrawn from consideration. Claims 1, 5-12, and 15 are rejected. Reconsideration of claims 1, 5-12, and 15, as amended herein, is respectfully requested.

Claims 1, 5-12, and 15 are rejected in the Office action under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,106,485 to McMahon, or U.S. Patent No. 6,110,192 to Ravenscroft, et al. In light of the above amendments to claims 1. 5-12, and 15, and the following remarks, reconsideration is respectfully requested.

Claim 1 was amended in an Amendment and Response to the Office Action dated December 22, 2000 and herein to recite "said interface being the portion of said body which remains in contact with said bodily tissue adjacent said point of insertion while the device remains inserted in the bodily tissue." Furthermore, claim 1 recites that the interface has texture thereon. Claim 1 has been amended herein to recite an "indwelling intravascular device." An indwelling intravascular device is one which is intended to remain in the patient's body for a period of time. The significance of texture on the interface of the body of a device which is indwelling is set forth in Applicant's Specification, p. 3, l. 24 - p. 4, l. 7. A texture at the interface restricts movement of the device and promotes the growth of fibroblasts therein, both in an effort to reduce the ability of bacteria or fungi to enter the patient's body and cause infection.

Neither McMahon nor Ravenscroft disclose an indwelling intravascular device. The device of McMahon is a guidewire for advancing a medical device such as a catheter through a patient's body lumen. The McMahon device is not indwelling but rather is intended to reduce friction (resistence to movement) and thereby facilitate the passage of a device such as a catheter through

the body lumen (Col. 2, l. 65-Col. 3, l. 1). Its purpose is to facilitate advancement through the patient's body.

The Ravenscroft et al. device is, likewise, not an indwelling device but rather a medical dilation balloon for insertion into a body conduit. The device is intended to be inserted into the body and inflated for a medical procedure, deflated, and removed. There is no disclosure in Ravenscroft et al. for the device to remain in the patient's body.

Moreover, neither McMahon nor Ravenscroft disclose and indwelling intravascular device which includes texture on the portion of the body (of the device) which remains in contact with the bodily tissue adjacent the point of insertion while the device remains inserted in the bodily tissue. The device of McMahon is inserted through the patient's body lumen. There is no disclosure in McMahon that the sheath **15** with exterior surface **16** with contact regions **17** remains in contact with the bodily tissue adjacent the point of insertion. In fact, this would be contrary to the disclosure of McMahon where the contact regions of the sheath reduce the contact area with the lumen so as to reduce the resistence to movement therein (Col. 2, l. 65-Col. 3, l. 1).

Ravenscroft, like McMahon, does not disclose a device which includes a textured interface which remains in contact with the bodily tissue adjacent to point of insertion while the device remains inserted in the bodily tissue. Instead, Ravenscroft et al. discloses a balloon having improved folding characteristics, providing a smaller and easier to withdraw profile upon deflation (Col. 2, l. 37-39). The texture provides these improved folding characteristics (Col. 2, l. 43-61).

The rejection of claim 1 under 35 U.S.C. § 102(b) is believed overcome. Allowance of claim 1, as amended is respectfully requested.

Claims 5-8 are also rejected in the Office action under 35 U.S.C. § 102(b) as being

anticipated by McMahon and Ravenscroft et al. In that claims 5-8 depend from claim 1, they are believed allowable at least for the reasons set forth above with regard to claim 1. Reconsideration and allowance of claims 5-8 is respectfully requested.

Claim 9 has been canceled herein without prejudice.

Claims 10-12 and 15 are rejected in the Office action under 35 U.S.C. 102(b) as being anticipated by McMahon or Ravenscroft, et al. Reconsideration of claims 10-12 and 15 is respectfully requested.

Claim 10 has been amended herein to recite that the introducer includes a proximal end and a distal end and that the proximal end is textured. The sheath **15** of McMahon is disposed about and secured to the distal core section **13**. It is sheath **15** that includes contact regions **17** (Col. 3, l. 44-56). Therefore, only the distal end of the McMahon device is textured.

Likewise, only the distal end of the Ravenscroft et al. device is textured. The device includes a catheter shaft **6** attached distally to a balloon **4**. The balloon **4**, includes a textured surface comprising raised radial ridges **12**. As a result, only the distal portion of the Ravenscroft et al. device is textured. In light of the amendments herein, the rejection of claim 10 is believed overcome.

Claims 11, 12, and 15 depend from claim 10. In that claims 11, 12, and 15 depend from claim 10, they are believed allowable at least for the reasons set forth above with regard to claim 10. Reconsideration and allowance of claims 11, 12, and 15 is respectfully requested.

New claims 16-18 have been added herein. Claims 16-18 depend from claim 1 and are believed allowable at least for the reasons set forth above with regard to claim 1. Allowance of claims 16-18 is respectfully requested.

In addition to the above, claim 16 recites that the texture is a static texture. Both the sheath of McMahon and the textured balloon of Ravenscroft et al. is flexible. The texture of Applicant's claim 16 is not flexible but rather static so as to reduce migration of the device and to allow fibroblasts to grow therein.

The Commissioner is hereby authorized to credit any overpayment or debit any additional fees which might become due during the pendency of this application to the deposit account of the undersigned, No. 06-0540.

Respectfully submitted,

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Clean version of claims pending in the Application

1. An indwelling intravascular device for insertion into the bodily tissue of a medical patient, comprising:

a body including an interface for at least partial insertion into the bodily tissue at a point of insertion;

said interface being the portion of said body which remains in contact with said bodily tissue adjacent said point of insertion while the device remains inserted in the bodily tissue;

said interface having an exterior surface including texture thereon.

5. The indwelling intravascular device of claim 1 wherein plurality of bumps are positioned on the exterior surface of said interface.

6. The indwelling intravascular device of claim 5 wherein the bumps are rounded.

7. The indwelling intravascular device of claim 5 wherein the bumps are pointed.

8. The indwelling intravascular device of claim 1 further including a wire guide obturator having a first end and a terminal end;

said first end being secured to said interface;

said first end including texture thereon.

10. An intravenous stent, comprising:

a stent portion;

said stent portion capably of receiving said needle therethrough;

said stent portion including an introducer and a cannula through which said needle extends;

said introducer including a proximal portion and a distal portion;

said introducer including texture on said proximal portion.

11. The intravenous stent of claim 10 wherein a portion of said cannula includes texture thereon.

12. The intravenous stent of claim 11 wherein a portion of said cannula adjacent said introducer is textured.

15. The intravenous stent of claim 10 wherein said texture includes a plurality of bumps positioned on its exterior surface.

16. The indwelling intravascular device of claim 1 wherein said texture is a static texture.

17. The indwelling intravascular device of claim 1 wherein the depth of the majority of said texture is between the range of 0.2 mm to 1.0 mm.

18. The indwelling intravascular device of claim 17 wherein the depth of the majority of said texture is between the range of 0.2 mm to 0.5 mm.